

DATE OF DEFERRAL	21 May 2025
DATE OF PANEL BRIEFING	13 May 2025
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown, Marjorie Ferguson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 30 April 2025.

MATTER DEFERRED

PPSSTH-311 – WOLLONGONG - DA-2023/849 at Lot 197 Bong Bong Road Huntley - Multi-dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, community facilities (Stage 1) and use of up to five (5) dwellings for temporary exhibition homes. The development upon completion is intended to operate as a Land Lease Community and therefore reliant upon a separate s68 Approval under the Local Government Act for a Manufactured Home Estate. (as described in Schedule 1).

REASONS FOR DEFERRAL

The panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the briefings and observed at the site inspection listed at item 8 in Schedule 1.

The panel had the benefit of the council's assessment report (which recommended refusal of the development application), and several submissions from the applicant in response to Council's recommendation (dated 12 May 2025). The matters raised in the applicant's responses related primarily to permissibility, the need for separate approval under s68 of the LG Act, a response to council's merit related concerns, and the need to complete additional flood related modelling. The applicant sought the deferral of the matter to enable this work to be completed and considered.

The panel agreed **unanimously** to defer the matter.

In making its decision the panel was satisfied that the development proposal was permissible with consent, and that council's refusal under s68 of the Local Government Act relating to manufactured home estates was not an impediment to the approval of the development application (should the panel be of mind to approve the application). The panel noted that it was council's view and a key reason for the recommendation to refuse the application that in the absence of an approval under s68 of LG Act relating to a manufactured home estate that the development could not proceed.

Council's other recommended reasons for refusal related to the applicant not having sufficiently demonstrated the likely impacts of the proposal with regard to:

- Site design and internal design
- Solar access to private open space areas
- Sustainability such that the orientation and design of dwellings does not maximise solar access to living areas
- The site levels proposed at the interface of the proposed development with adjoining residential development and roads, including the physical treatments proposed
- Flooding

- Stormwater management

The panel accepted that there was a level of uncertainty in relation to several issues raised in the council's assessment report. The panel was of the view that to enable an informed decision, the results of the additional flood modelling should be considered, along with additional information relating to the impacts associated with the proposed retaining walls across the site.

The panel consequently deferred the determination of the matter until **11 August 2025** to allow the applicant additional time to provide the relevant information.

ACTIONS

The panel directed that the Applicant provide further information and justification relating to the:

1. Construction of the proposed retaining walls including:
 - a. The proposed articulation, height and extent of retaining walls
 - b. Internal impacts, particularly in relation to solar access within and between lots
 - c. External impacts including any visual impacts from the public domain
 - d. The provision of relevant sections demonstrating the above
2. Additional flood modelling information

and upload all documentation to the Planning Portal by **Monday 16 June 2025**.



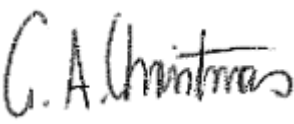
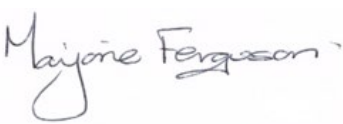

Once the additional information is provided by the applicant, council is requested to provide:

1. An addendum assessment report which fully considers the information provided, and
2. A without prejudice draft instrument of consent

which are to be uploaded to the Planning Portal by **Monday 4 August 2025**.

Once the addendum assessment report and draft conditions are received, including any comments provided by the applicant, the panel will consider the matter by the circulation of papers and determine the application by way of electronic determination.

If the outstanding information is not provided by **Monday 16 June 2025** the panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Marjorie Ferguson
 David Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-311 – WOLLONGONG - DA-2023/849
2	PROPOSED DEVELOPMENT	Multi-dwelling housing development comprising 236 dwellings and associated earthworks, road construction and delivery, civil and landscaping works, community facilities (Stage 1) and use of up to five (5) dwellings for temporary exhibition homes. The development upon completion is intended to operate as a Land Lease Community and therefore reliant upon a separate s.68 Approval under the Local Government Act for Manufactured Home Estate.
3	STREET ADDRESS	Lot 197 Bong Bong Road Huntley
4	APPLICANT/OWNER	Stockland Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> ○ Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ Wollongong Local Environmental Plan 2009 ○ Draft environmental planning instruments: Nil ○ Development control plans: <ul style="list-style-type: none"> ○ Wollongong City Wide Development Contributions Plan (2022) ○ Planning agreements: Nil ○ Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> ○ Coastal zone management plan: Nil ○ The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality ○ The suitability of the site for the development ○ Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations ○ The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> ● Council Assessment Report: 30 April 2025 ● Supplementary information received from the applicant on 9 May and 12 May 2025 ● Written submissions during public exhibition: 0 ● Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ● Briefing: 7 February 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown ○ <u>Council assessment staff</u>: Nicole Ashton, Mark Adamson, Rod Thew, Sarah Goodman ○ <u>Applicant representatives</u>: Ken Franklin (Stockland), Matt Cooper (GLN Planning), Sam Johns (GLN Planning), Benjamin Vella (Stockland) ○ <u>DPHI</u>: Amanda Moylan, Tim Mahoney ● Site inspection: 7 February 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown

		<ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Nicole Ashton, Mark Adamson, Rod Thew, Sarah Goodman ○ <u>Applicant representatives</u>: Ken Franklin (Stockland), Benjamin Vella (Stockland) ● Final briefing to discuss council's recommendation: 13 May 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, David Brown, Marjorie Ferguson ○ <u>Council assessment staff</u>: John Wood, Mark Adamson, Nicole Ashton, David Fitzgibbon, Darren Burke ○ <u>Applicant representatives</u>: Felicity Rourke (Partner, Allens Linklaters Lawyers), Matt Cooper (Director, GLN Planning), Kimberly Vancuylenberg (Senior Legal Counsel, Stockland), Richard Rhydderch (Stockland), Sam Johns (Senior Planner, GLN Planning), Layth Zumot (Allens Linklaters Lawyers), Spiro Prevezanos (Avid Property Group) ○ <u>DPHI</u>: Amanda Moylan, Nikita Lange
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the Council Assessment Report